

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DWIGHT N. RODGERS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:06-cv-1067-WKW
)	
CRACKER BARREL OLD)	
COUNTRY STORE, INC.,)	
)	
Defendant.)	

ORDER

This cause is before the court on Defendant's Motion to Strike Plaintiff's Affidavit (Doc. # 33) and Plaintiff's Motion for Leave to Amend His Response. (Doc. # 34.) Upon consideration of the filings, it is ORDERED that:

1. Defendant's Motion to Strike Plaintiff's Affidavit (Doc. # 33) as untimely is DENIED;
2. Plaintiff's Motion for Leave to Amend His Response (Doc. # 34) is GRANTED for good cause, and plaintiff's affidavit (Doc. # 34-2) is deemed filed;
3. The defendant shall file more specific objections to the plaintiff's affidavit, if any, **on or before October 12, 2007**, with the objectionable portions of the affidavit and the grounds for each objection clearly identified. The plaintiff's response shall be filed **on or before October 17, 2007**.

DONE this 9th day of October, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE